

*REMARKS/ARGUMENTS**The Pending Claims*

Claims 6, 8-11, 16, 20-22, 47-62, and 67-70 are pending. Claims 47-62 are withdrawn as directed to non-elected subject matter.

Rejoinder of Withdrawn Claims

As set forth in the Office Action dated May 2, 2005 (see pages 3-4) and in accordance with MPEP § 806.05(f), when the Office requires restriction between product and process claims and Applicants elect claims directed to the product, which claims are subsequently found to be allowable, withdrawn process claims that depend from or otherwise include all the limitations of the allowable product claims will be rejoined in accordance with the provisions of MPEP § 821.04. Non-elected claims 47-62 are directed to a method of using the composition of claim 6 or 16. Thus, claims 47-62, by virtue of their dependency from claim 6 or 16, include all of the limitations of claim 6 or 16. Applicants request that such claims be rejoined and examined together with the product claims.

Summary of the Amendments to the Claims

The claims have been amended to point out more particularly and claim more distinctly the invention. Claims 6 and 16 have been rewritten in independent form. Claims 8-11, 20-22, and 47-62 have been amended to depend directly or indirectly from claims 6 or 16. Claims 67-71 are new and recite similar subject matter as claims 8-11, except that claims 67-71 depend from claim 16. No new matter has been added by way of these amendments.

Summary of the Office Action

The Office rejects claims 1, 3, 4, 5, 8-10, 12, 13, 18-21, 23-26, 36, 38-41, 43, 45, 46, and 63-66 under 35 U.S.C. § 103(a) as allegedly unpatentable over Wu et al., *Mol. Cell Biol.*, 22: 7688-7700 (2002) in view of Bass, *Nature*, 411: 428-429 (2001) and U.S. Patent Application Publication 2004/0006005 (Bhanot) and further in view of Nicklin et al., *Curr. Gene Ther.*, 2: 273-293 (2002), Sui et al., *Proc. Natl. Acad. Sci., USA*, 99(8): 5515-5520 (2002), Parrish et al., *Mol. Cell*, 6: 1077-1087 (2002), U.S. Patent Application Publication 2004/0086884 (Beach et al.) and U.S. Patent 6,331,425 (Taylor et al.).

The Office objects to claims 6 and 16 as depending from a rejected base claim, but acknowledges that these claims would be allowable if rewritten in independent form.

Reconsideration of these rejections is hereby requested.

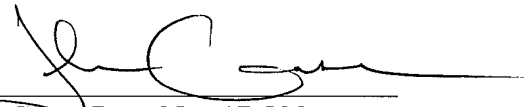
Discussion of the Rejections

Applicants disagree with the obviousness rejections for the reasons already made of record. However, to expedite prosecution, claims 6 and 16 have been rewritten in independent form, and the remaining claims have been amended to depend directly or indirectly from claims 6 and 16. The Office Action indicates that claims 6 and 16 recite allowable subject matter. Furthermore, all of the remaining claims contain the features of claims 6 or 16 by virtue of their dependency, and should be considered non-obvious over the prior art for the same reasons as claims 6 and 16. Accordingly, Applicants request that the obviousness rejections be withdrawn and the claims allowed.

Conclusion

Applicants respectfully submit that the patent application is in condition for allowance. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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Date: May 5, 2008